

IN RE: PETITION FOR ZONING VARIANCE
N/S Security Blvd., 251' E
of the c/l of Woodlawn Drive
(6502 Security Boulevard)
1st Election District
2nd Councilmanic District
Meadows Park Ltd. Partnership
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-30-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 50 parking spaces in lieu of the required 82 spaces; to permit six (6) business identification signs in lieu of the maximum permitted three (3); and to permit a total signage of 349 sq.ft. in lieu of the maximum permitted 100 sq.ft., all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Joseph M. Smiley, Real Estate Representative for McDonalds Corporation, the Contract Lessee of the subject property, and Peter Freitag with McDonalds Construction Division, appeared, testified and were represented by E. Harrison Stone, Esquire. Also appearing on behalf of the Petition was Tony Cortez with STV Lyon Associates. There were no Protestants.

At the onset of the hearing, the Petitioner, through its Counsel, made a motion to amend its request for sign variances. McDonalds has elected to delete the golden arches from three of the signs which will become simply directional signs. Consequently, there will be three business signs with the total signage reduced from 349 sq.ft. to 319 sq.ft.

Testimony indicated that the subject property, known as 6502 Security Boulevard, consists of 1.05 acres, plus or minus, and is zoned B.M. The site is currently improved with a former Hardees fast-food restaurant, which has been out of operation since 1986 as a result of a

fire. Currently the site is an eyesore. Testimony indicated that McDonalds Corporation, the current Lessee of the subject property, proposes renovating the existing structure and operating their franchise at the site as depicted on Petitioner's Exhibit 1. Testimony further indicated that due to the irregular shape of the lot, the building proposed for this site was specially designed to meet the needs of the lot. Testimony presented by witnesses testified as to the sufficiency of the proposed 50 parking spaces to meet the needs of the operation. Mr. Smiley indicated that McDonalds estimates a minimum of 37% of its customers will be drive-thru. He indicated that this estimate is based upon the average for the Baltimore Metropolitan Area. Further, in this instance, it is expected there will be a high percentage of walk-in customers due to the fact that the Social Security Administration complex is located across the street from the subject site and a high school exists to the rear of the property. Testimony further indicated that in McDonalds' experience in the Baltimore Metropolitan Area, and as a result of studies performed, the average number of parking spaces in use at any given time is 38 spaces. In view of the facts presented, the Petitioner argued that it would suffer undue hardship if strict compliance with the zoning regulations was required.

Testimony indicated that the Petitioner proposes placing one (1) McDonalds identification sign on the property consisting of 104 sq.ft. each side for a total of 208 sq.ft. On the identification sign there will be a drive-thru sign of 31 sq.ft. Testimony indicated that the proposed size of the identification sign is necessary due to Security Boulevard being a six-lane highway and the speed permitted along this road. Petitioner argued that a sign of this size is needed to allow sufficient no-

-2-

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2b(3) to allow 50 parking spaces in lieu of the required 82 spaces; and from Section 413.2f to permit 6 signs on premises in lieu of the permitted 3 and to permit 349 total sq. ft. in lieu of the permitted 100 sq. ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Site too small to comply with existing Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Meadows Park Limited Partnership
(Type or Print Name)

By: *Howard L. Flax*
Signature Howard L. Flax, General Partner

(Type or Print Name)

Signature

6500 Rock Spring Drive, Suite 302
Address Phone No.

Bethesda, MD 20817 (301) 530-9667
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

823-1800

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of August, 1988.

1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 16th day of August, 1988, at 9 o'clock

A.M.

ESTIMATED LENGTH OF HEARING - 1/2 HR.

AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO WEEKS

FILED BY: *J. Robert Haines* DATE: 5-12-88

REVIEWED BY: *J. Robert Haines* DATE: 5-12-88

REVIEWED BY: *J. Robert Haines* DATE: 5-12-88

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tice to its customers to safely exit off of Security Boulevard onto the subject property. Mr. Smiley indicated that size of identification signs proposed for McDonalds throughout Baltimore County has been greatly reduced in keeping with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioner also intends to provide two menu board signs, 40 sq.ft. each, to service its drive-thru customers. Mr. Smiley testified that the reason for the second menu board is to enable customers waiting in line to review the menu board in advance of placing their order to insure a smoother flow of traffic. The three remaining signs are directional signs only. One directional sign will be installed at the entrance to the site, one at the exit, and one at the entrance to the drive-thru.

In response to the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated May 31, 1988 from Karen M. Morrey, Mr. Cortez testified that the Petitioner's plans do not involve the encroachment onto or the disturbance of any area beyond the existing macadam surface. Further, the Petitioner intends to increase the impervious surface area by expanding the landscaping of the project. In support of this claim, the Petitioner introduced a rendition of their landscaping proposal identified herein as Petitioner's Exhibit 3.

Petitioner seeks relief from Section 409.6A(2) (formerly 409.2(b)(3)) and 413.2f, pursuant to Section 307 of the B.C.Z.R. The subject parking regulations were amended by Baltimore County Council Bill No. 26-88 effective May 26, 1988. While the requirements in this case were not modified, the controlling provision has changed.

-3-

STV LYON ASSOCIATES
ENGINEERS ARCHITECTS PLANNERS
21 GOVERNORS COURT
BALTIMORE, MD 21207-2722
301/544-9112

ZONING DESCRIPTION FOR
MCDONALD'S CORPORATION
NO. 6502 SECURITY BOULEVARD
ELECTION DISTRICT NO. 1
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME along the northerly side of Security Boulevard (120 feet wide), distant the two following courses and distances from the centerline of Woodlawn Drive:

South 86°55'32" East 251.81 feet, thence by a curve to the right having,

A radius of 2,520 feet, an arc length of 81.86 feet, said curve being subtended by a chord bearing South 86°00'01" East 81.86 feet to said point of beginning, thence leaving said Security Boulevard and running,

1. North 67°54'30" East 541.34 feet, thence,

2. South 09°03'37" West 125.64 feet, thence,

3. North 81°08'32" West 96.69 feet, thence,

4. South 20°42'20" West 149.80 feet to intersect said northerly side of Security Boulevard, thence along same, the two following courses and distances,

5. North 81°14'14" West 164.50 feet, thence by a curve to the left having,

6. A radius of 2,520.00 feet, an arc length of 172.01 feet, said curve being subtended by a chord bearing North 83°05'59" West 171.98 feet to the point of beginning...containing 45,654.25 square feet or 1.0481 acres of land, more or less.

May 5, 1988
STV LYON ASSOCIATES
Mark A. Riddle
MD Reg. Property Line Surveyor No. 244



STV ENGINEERS, Engineers, Architects, Planners, Professional Member Form: STV/Lyon Associates
STV/Management Consultants: STV, H.D. Nottingham, STV/Sanders & Thomas, STV/Seelye Stevenson Value & Knecht

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

After due consideration of the testimony and evidence presented, it appears that the relief requested should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of August, 1988 that the Petition for Zoning Variance to permit 50 parking spaces in lieu of the required 82 spaces and three (3) business signs with a total signage of 319 sq.ft. in lieu of the maximum three signs limited to a total area of 100 sq.ft. in

-4-

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitioner for Zoning Variance

Case Number: 89-30-A

N/S Security Blvd., 251' E of c/l

Woodlawn Drive

(6502 Security Blvd.)

1st Election District - 2nd Councilmanic

Petitioner: Meadows Park Limited Partnership

HEARING SCHEDULED: TUESDAY, AUGUST 16, 1988 at 9:00 a.m.

Variance to allow 50 parking spaces in lieu of the required 82 spaces; and to permit 6 signs on premises in lieu of the permitted 3 and to permit 349 total sq. ft. in lieu of the permitted 100 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

A. Robert Haines
Zoning Commissioner of Baltimore County

The Times

Middle River, Md., July 28, 1988

This is to Certify, That the annexed

Notice of Hearing

Reg. No. 89-30-A

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 28th day of

July, 1988

James P. Brown Publisher

"DUPLICATE"

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 21, 1988

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., once in each

of one successive weeks, the first publication appearing

on July 21, 1988.

THE JEFFERSONIAN,

S. Zefo Arlen

Publisher

\$37.50

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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Woodlawn Drive

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1st Election District - 2nd Councilmanic District

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A. Robert Haines
Zoning Commissioner of Baltimore County

1988 July 21

CERTIFICATE OF PUBLICATION

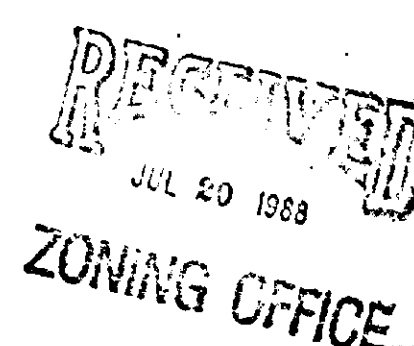
Pikesville, Md., July 20, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 21st day of July, 1988 the first publication appearing on the 20th day of July, 1988 the second publication appearing on the 21st day of July, 1988 the third publication appearing on the 22nd day of July, 1988

THE NORTHWEST STAR

Manager Don Smith

Cost of Advertisement 17.20



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Security Blvd., 251' E of :
C/L Woodlawn Dr. (6502 Security : OF BALTIMORE COUNTY
Blvd.), 1st District :
MEADOWS PARK LTD. PARTNERSHIP, : Case No. 89-30-A
Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of July, 1988, a copy of the foregoing Entry of Appearance was mailed to E. Harrison Stone, Esquire, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: _____



Dennis F. Rasmussen
County Executive

Mr. Joseph Smiley, Real Estate Rep.,
3315 Williams Drive
Fairfax, Virginia 22031

Re: Petition for Zoning Variance
CASE NUMBER: 89-30-A
N/S Security Blvd., 251' E of C/L Woodlawn Drive
(6502 Security Blvd.)
1st Election District - 2nd Councilmanic
Petitioner(s): Meadows Park Limited Partnership
HEARING SCHEDULED: TUESDAY, AUGUST 16, 1988 at 9:00 a.m.

Dear Mr. Smiley:

Please be advised that 71.70 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring

| | | | |
|---|-----------------------------|------------|--|
| BALTIMORE COUNTY, MARYLAND | | No. 059133 | |
| OFFICE OF FINANCE - REVENUE DIVISION | | | |
| MISCELLANEOUS CASH RECEIPT | | | |
| DATE <u>8/16/88</u> | ACCOUNT <u>R-01-615-000</u> | | |
| AMOUNT \$ <u>71.70</u> | | | |
| RECEIVED FROM <u>Meadows Park Ltd Partnership</u> | | | |
| FOR <u>Posting</u> | | | |
| B 86174-00000717033 2166 89-30-A | | | |
| SIGNATURE OF CARRIER | | | |

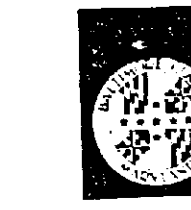
County Office minutes before
Post set(s), there each set not

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

June 21, 1988

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-30-A
N/S Security Blvd., 251' E of C/L Woodlawn Drive
(6502 Security Blvd.)
1st Election District - 2nd Councilmanic
Petitioner(s): Meadows Park Limited Partnership
HEARING SCHEDULED: TUESDAY, AUGUST 16, 1988 at 9:00 a.m.

Variance to allow 50 parking spaces in lieu of the required 72 spaces and to permit 6 signs on premises in lieu of the permitted 3 and to permit 343 total sq. ft. in lieu of the permitted 100 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Howard L. Flinn
Joseph Smiley
E. Harrison Stone, Esq.
File

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1 Stn Date of Posting July 28, 1988

Posted for: Variance

Petitioner: Meadows Park Ltd Partnership, Mc Donald's

Location of property: N/S Security Blvd., 251' E of C/L Woodlawn Dr.

Location of Sign: North side of Security Blvd. in front of subject property

Remarks: Property

Posted by: J. J. Bata Date of return: July 29, 1988

Number of Signs: 1

Baltimore County
Department of Permits & Licenses
Towson, Maryland 21204
494-3610

Ted Zalaski, Jr.
Director

January 28, 1988

Mr. Joe Smiley
c/o McDonalds
3015 Williams Drive
Fairfax, VA 22031

Re: B-87-273
6502 Security Boulevard

Dennis F. Rasmussen
County Executive

Gentlemen:

This will confirm our telephone conversation of January 28, 1988 concerning the referenced property. The building was severely fire damaged and on September 14, 1987, orders were issued to raze or rehabilitate the building not later than September 29, 1987. On September 18, 1987, Mr. Gib Jolles, the owners representative, requested and was given a 90 day extension by Mr. John Belsinger, the Buildings Engineer for Baltimore County. That extension expired on December 29, 1987.

I do feel that the order to raze the building was appropriate and I also feel that the building is in violation of the Investment Property Laws of Baltimore County as well as Section 120 of the Baltimore County Building Code.

The building in its present condition Baltimore County Council has recognized in Section 520 of the Baltimore County Code that the maintenance problems associated with investment properties have a direct detrimental effect on the value, care and the character of the entire community in which they are found. The owners of this building have failed to take even minimal steps to remove fire debris and board up the severely fire damaged structure until ordered to by Baltimore County, many months after the fire occurred and even after boarding, they did not remove the remains of the fire damaged false mansard on the building.

After reviewing the file, the only reason why we consider any further extensions on razing this property is the reported imminent purchase of the property by McDonalds. The property cannot be allowed to remain in its present condition for the many months it would take to obtain the parking variance, design and replacement of the building and obtain the required permits, not to mention the time required to consummate the transfer of the property between the parties.

I will withhold further actions concerning this matter until February 15, 1988, to give you time to submit a proposal indicating what you plan to do to improve the appearance of the building so that I can

justify delaying enforcing the razing order until a new building is constructed. Your proposal must include removing the fire damaged mansard.

If you have any questions concerning this matter, please call me at 494-3373.

Very truly yours,

Joseph M. Nolan
Joseph M. Nolan
Assistant Buildings Engineer

JMS/rmg

cc: b file
data file
correspondence
Inspector - France
Sherman Hill
Wildwood Development Corporation

J. Robert Haines, Esq.
Zoning Commissioner for Baltimore
County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance/McDonald's Restaurant,
Item 417

Dear Commissioner Haines:

We have filed this date with your Zoning Office a petition requesting both parking and signage variances for the former Hardee's Restaurant at 6502 Security Boulevard, Baltimore County, Maryland.

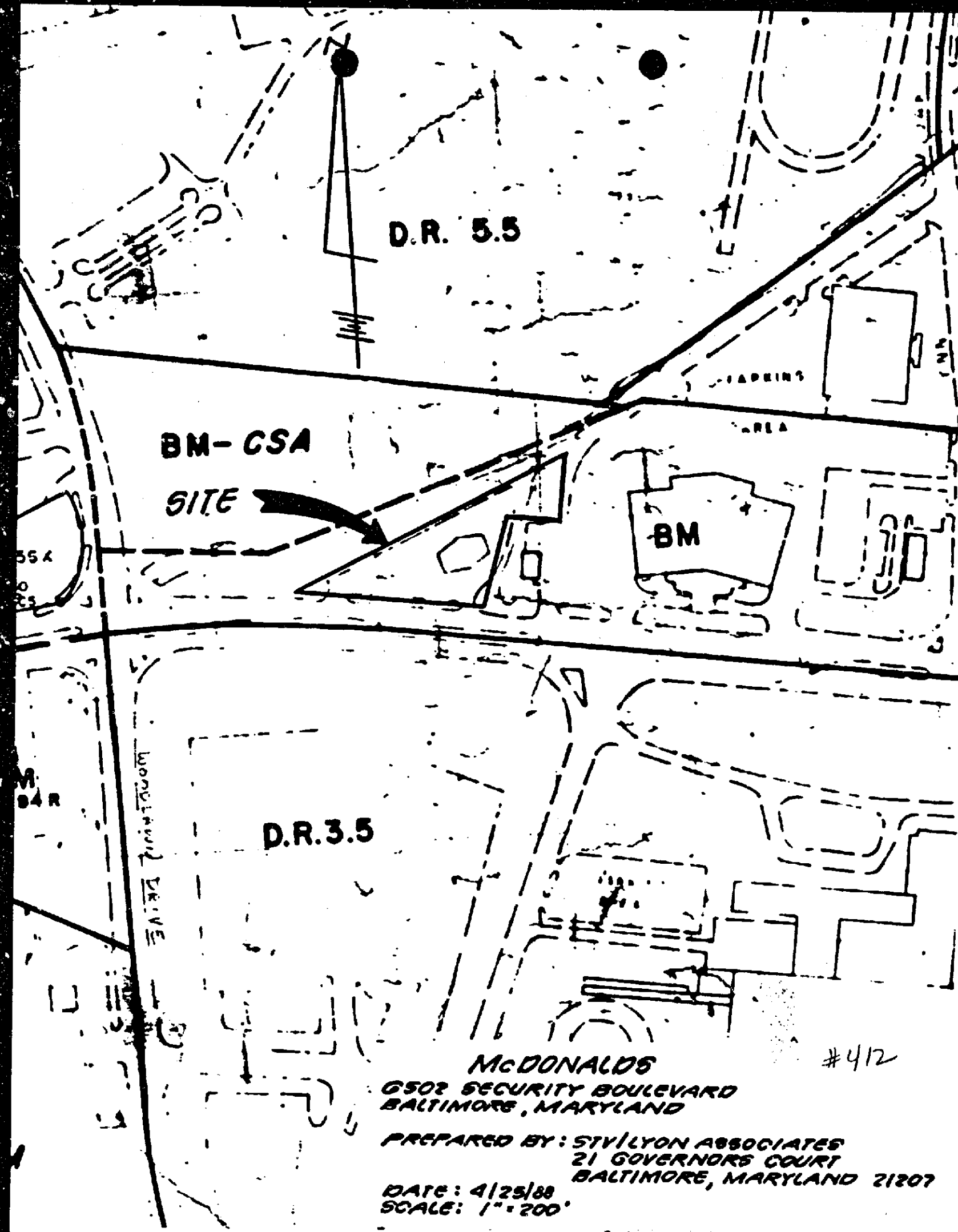
As you will observe from the enclosed letter dated January 28, 1988 from the Department of Permits and Licenses of Baltimore County, there was a previous fire on the property, which virtually destroyed the Hardee's. The County is most anxious for us to proceed with our construction plans for the property.

Accordingly, this matter seems most appropriate for the scheduling of an early hearing and we request your assistance in this regard.

Thanking you for your consideration, I am
Yours very truly,

E. Harrison Stone

FHS:jz
02815



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-5553

J. Robert Haines
Zoning Commissioner

June 22, 1988

E. Harrison Stone, Esquire
ROYSTON, MUELLER, McLEAN & REID
Suite 600
102 West Pennsylvania Avenue
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Item #412
Case #89-30A
Scheduling Early Hearing Date

Dear Mr. Stone:

Thank you for your letter of May 12, 1988 to J. Robert Haines, Zoning Commissioner requesting an early hearing date, which has been referred to me for reply.

Your reasons for requesting an early hearing date and the hardships claimed appear to be valid reasons for this office to afford you every possible consideration regarding an expedient hearing and subsequent decision. I can assure you, that the Zoning Commissioner is dedicated to providing you with the earliest possible hearing date. Considering the enormous workload demands on this office and compliance with the time tables in the zoning law it is very difficult to change hearing dates.

At this time in the processing schedule, the date would be approximately during the last two weeks of August. Even if there would be time available earlier on the docket, there are required time frames and minimum processing times necessary to comply with the zoning law including posting and advertising which prevents an earlier date.

I regret any inconvenience that this approximate date may cause you, and I would emphasize that you have the earliest possible date at this time.

Very truly yours,

JAMES E. DYER
Zoning Supervisor

By: W. Carl Richards, Jr.
Zoning Coordinator

ROYSTON, MUELLER, McLEAN & REID
ATTORNEYS AT LAW
SUITE 600
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
(301) 823-1800
TELECOM FAX (301) 828-7859

OF COUNSEL
CARROLL W. ROYSTON
H. ANTHONY MUELLER
JOHN L. ASKEW

May 12, 1988

RECEIVED ZONING OFFICE
DATE: 5/12/88

J. Robert Haines, Esq.
Zoning Commissioner for Baltimore
County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance/McDonald's Restaurant,
Item 412

Dear Commissioner Haines:

We have filed this date with your Zoning Office a Petition requesting both parking and signage variances for the former Hardee's Restaurant at 6502 Security Boulevard, Baltimore County, Maryland.

As you will observe from the enclosed letter dated January 28, 1988 from the Department of Permits and Licenses of Baltimore County, there was a previous fire on the property, which virtually destroyed the Hardee's. The County is most anxious for us to proceed with our construction plans for the property.

Accordingly, this matter seems most appropriate for the scheduling of an early hearing and we request your assistance in this regard.

Thanking you for your consideration, I am

Yours very truly,

E. Harrison Stone

EHS:jz
0281h
Enclosure

Baltimore County
Department of Permits & Licenses
Towson, Maryland 21204
494-3610

Ted Zaleski, Jr.
Director

January 28, 1988

Re: B-87-273
6502 Security Boulevard

Dennis F. Rasmussen
County Executive

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Justify delaying enforcing the razing order until a new building is constructed. Your proposal must include removing the fire damaged mansard.

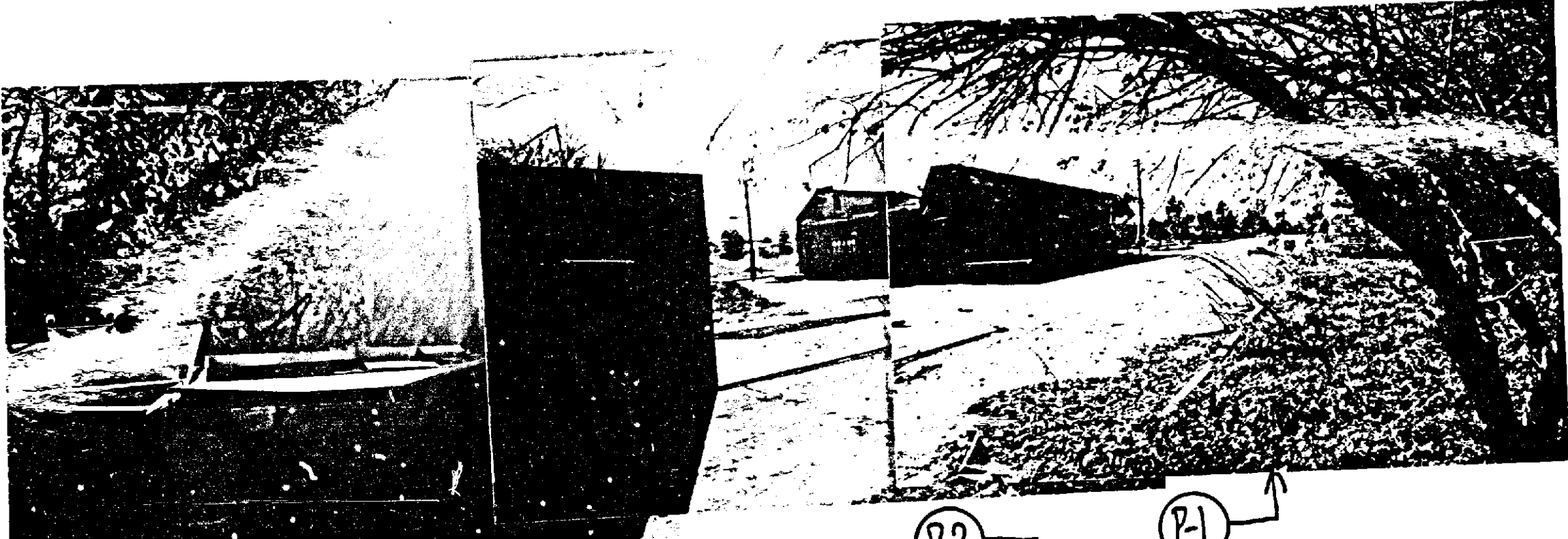
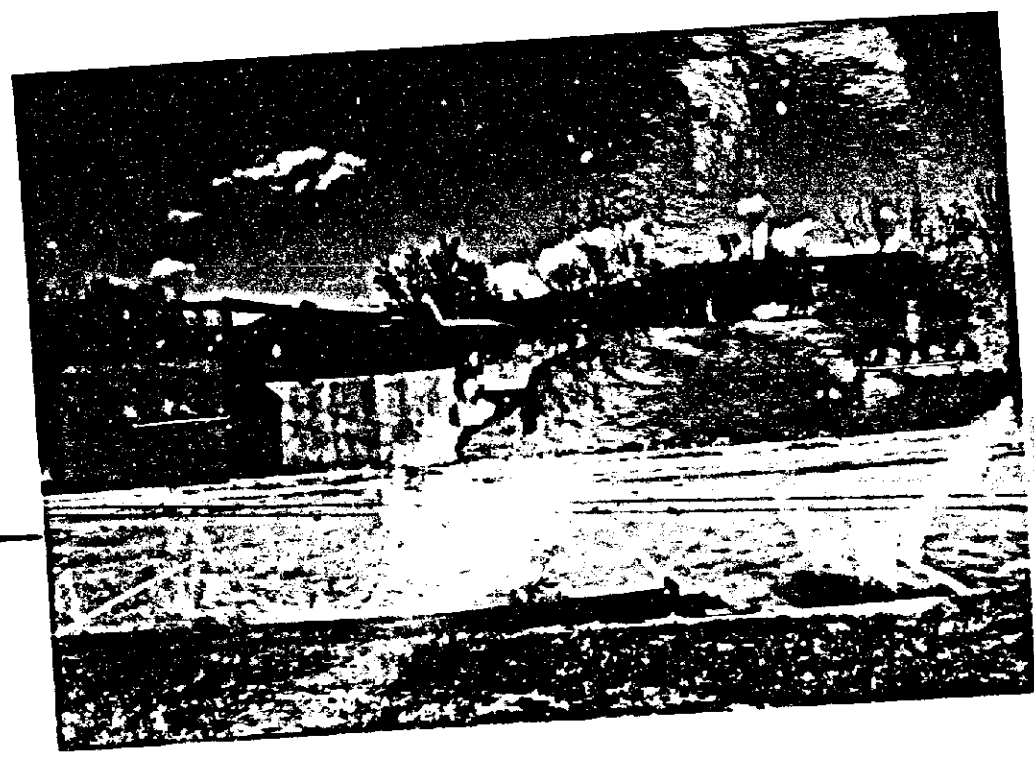
If you have any questions concerning this matter, please call me at 494-3373.

Very truly yours,

Joseph M. Nolan
Assistant Buildings Engineer

JMN/rmg

cc: b file
date file
correspondence
Inspector - France
Sherman Hill
Wildwood Development Corporation



PETITIONER'S
EXHIBIT 2A

PETITIONER'S
EXHIBIT 2B

89-30-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Your petition has been received and accepted for filing this
24th day of May, 1988.J. Robert Haines
J. ROBERT HAINES
Zoning CommissionerPetitioner: Meadows Park Ltd Partnership
Petitioner's Attorney: Lessee: McDonald's Corp.
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory CommitteeBaltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500Paul H. Reincke
Chief

June 7, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204Dennis F. Rasmussen
County ExecutiveRe: Property Owner: Meadows Park, Ltd. Partnership/Lessee:
McDonald's Corp.
Location: NS Security Blvd., 251' E. of c/l Woodlawn Dr.
Item No.: 412 Zoning Agenda: Meeting of 5/24/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: C. J. [Signature] 5-24-88 Noted and Approved: J. E. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner Date: July 26, 1988FROM: P. David Fields, Director
Office of Planning and ZoningSUBJECT: Zoning Petitions: 89-30-A, 89-59-A, 89-55-A,
89-60-A, 89-61-A, 89-64-A, 89-65-A, 89-83-A
89-66-SpHA

There are no comprehensive planning factors requiring comment on the subject petitions.

PDF/jat
cc: Shirley Hess, People's Counsel
J. A. Howell
Zoning FileRECEIVED
JUL 28 1988

ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 9, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
DevelopmentE. Harrison Stone, Esquire
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204RE: Item No. 412 - Case No. 89-30-A
Petitioner: Meadows Park Ltd Partnership
Lessee: McDonald's Corporation
Petition for Zoning Variance

Dear Mr. Stone:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: STV/Lyon Associates
21 Governors Court
Baltimore, Maryland 21207BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT5-31-88
DateZoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #412, Zoning Advisory Committee Meeting of 5-24-88

Property Owner: Meadows Park Ltd Partnership District 1

Location: N/S Security Blvd. Sewage Disposal: meter

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service of new health care facilities, must be submitted to the Division of Environmental Protection and Resource Management for review to the Baltimore County Department of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amenities pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to tearing of existing structures, petitioner must contact the Division of Waste Management at 494-3775, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____, must be _____ conducted.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If substantiation of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Others: There is to be no encroachment or disturbance into area beyond existing macadam surface

Karen M. Murray

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

PETITIONER(S) SIGN-IN SHEET

| NAME | ADDRESS |
|-------------------------------|------------------------------------|
| ANTHONY J. GORTAL | SVLSON ASSOCIATES |
| PETER A. FRETAG | 21 GUYMON ST |
| JOSEPH M. SMILEY (McDonald's) | 3015 WILLIAMS DR. FAIRFAX VA 22031 |
| E. HARRISON STONE | 102 W. PENNA AVE, TOWSON |

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333J. Robert Haines
Zoning Commissioner

August 25, 1988

E. Harrison Stone, Esquire
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204RE: PETITION FOR ZONING VARIANCE
N/S Security Boulevard, 251' E of the c/l of Woodlawn Drive
(6502 Security Boulevard)
1st Election District - 2nd Councilmanic District
McDonalds Corporation - Petitioner
Case No. 89-30-A

Dear Mr. Stone:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore CountyAMN:bja
cc: People's Counsel

File

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3354

June 23, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 408, 409, 410, 411, 412, 414, 415, 416 and 417.

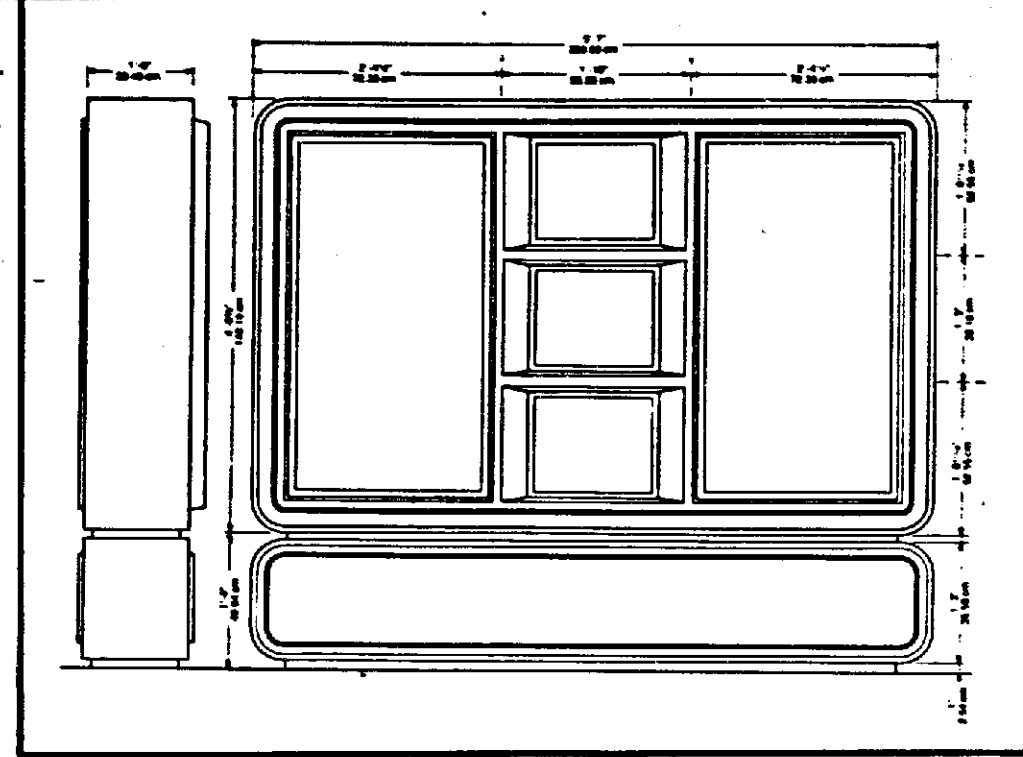
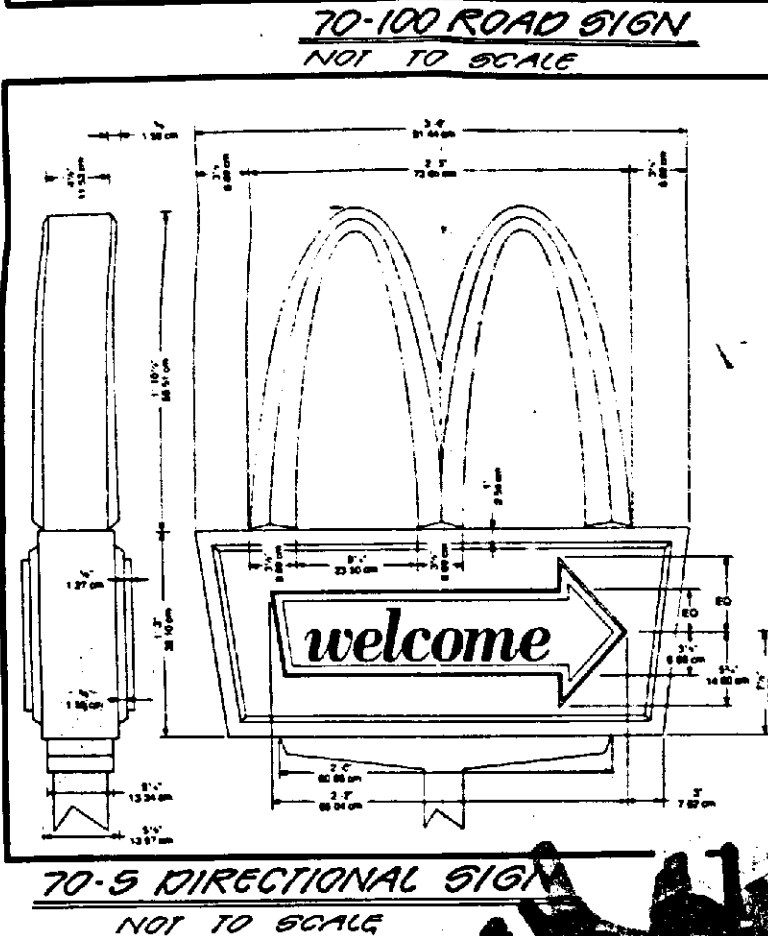
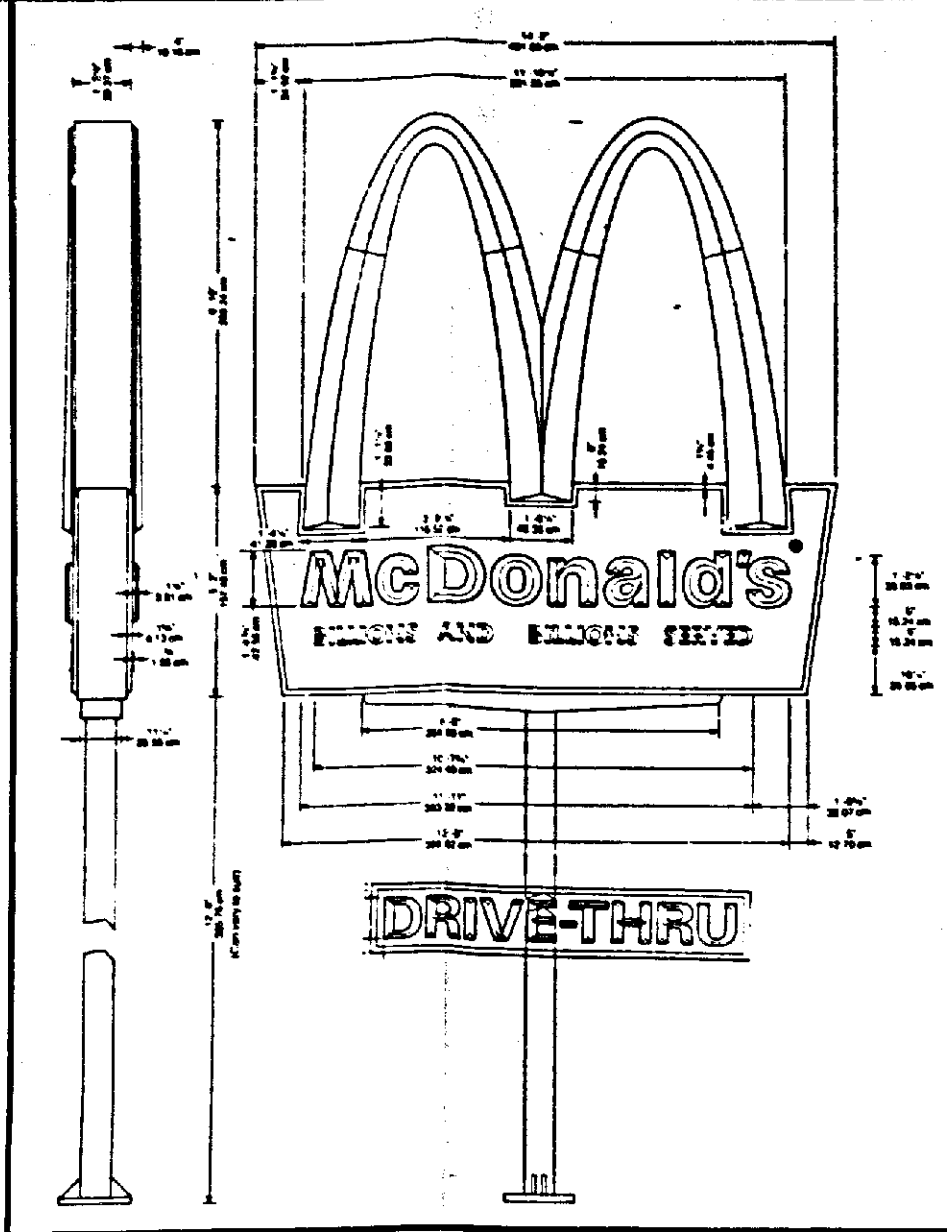
Very truly yours,

Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pm1-b

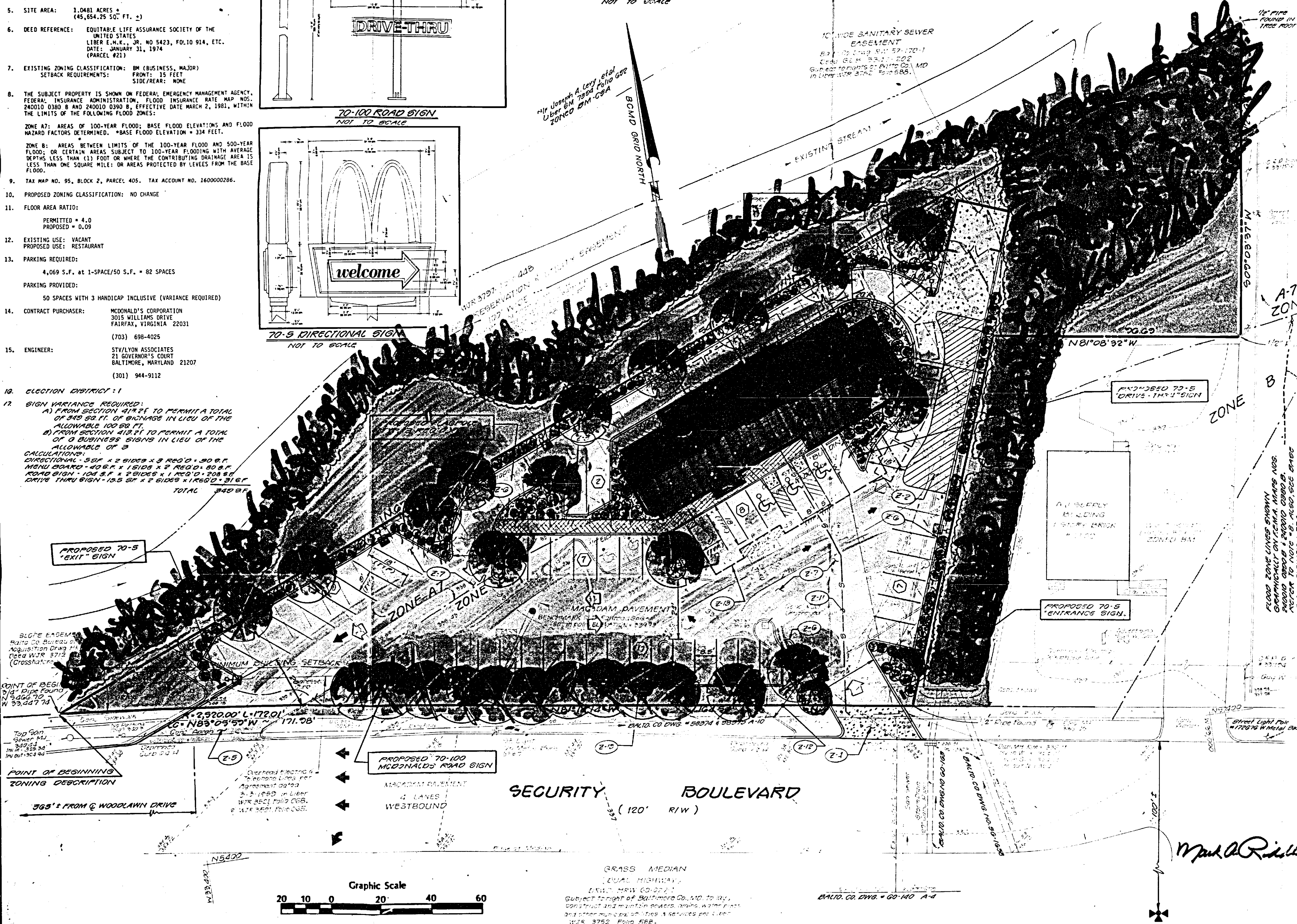
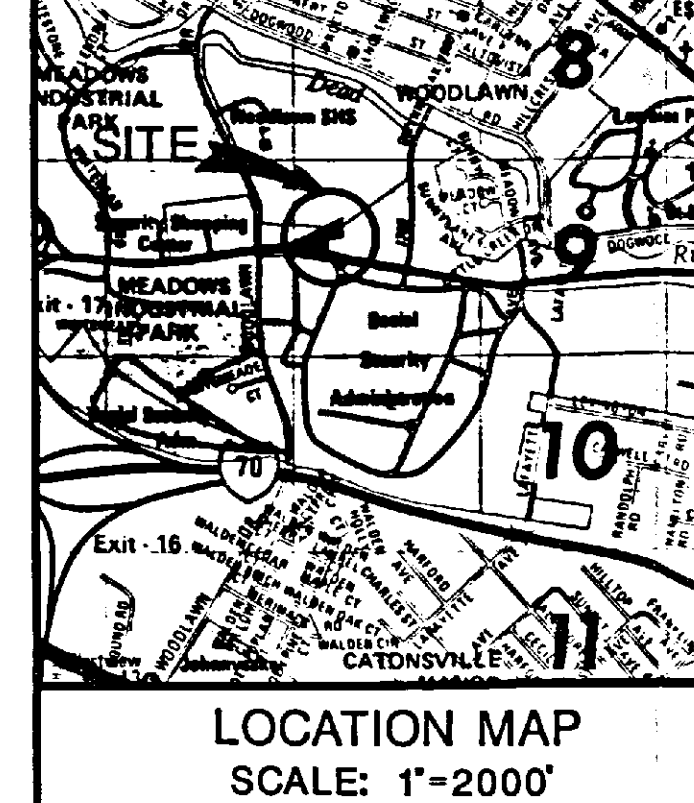
GENERAL NOTES:

- BEARINGS AND COORDINATES AS SHOWN HEREON ARE BASED ON THE BALTIMORE COUNTY METROPOLITAN DISTRICT GRID MERIDIAN AS REFERENCED FROM TRAVEL STATIONS:
X-8066: NORTH 5,339.73 WEST 33,786.60
10797: NORTH 4,407.05 WEST 33,754.16
- ELEVATIONS AS SHOWN HEREON ARE BASED ON BENCHMARK ON TRAVEL STATION NO. X-8066, WHICH IS A BRONZE DISC IN THE WEST CURB OF THE MEDIAN STRIP ALONG THE SOUTH SIDE OF SECURITY BOULEVARD AND WOODLAWN DRIVE. ELEVATION = 341.286 FEET.
- UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN LOCATED BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION RECEIVED. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO THE START OF WORK.
- LOCATION OF INDIVIDUAL ELECTRIC, TELEPHONE, GAS, WATER, AND SANITARY SEWER SERVICE CONNECTIONS AS SHOWN HEREON ARE UNCERTAIN. THE LOCATION OF SAID CONNECTIONS HAS BEEN FIELD LOCATED WHERE POSSIBLE, BUT IN CASES WHERE THE LINES HAVE BEEN CONSTRUCTED AND PAVED OVER, THE CONNECTIONS SHOWN ARE BASED ON PROPOSED SITE PLANS OR AN ESTIMATION OF POSSIBLE LOCATION. SHOULD EXCAVATION BECOME NECESSARY FOR MAINTENANCE OR REPAIR OF THESE LINES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY DETERMINE THE LOCATION OF THESE LINES BEFORE COMMENCING WORK.
- SITE AREA: 1.0481 ACRES ±
(45,654.25 SQ. FT. ±)
- DEED REFERENCE: EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES
LIBER E.N.K., JR. NO. 5423, FD. 10 914, ETC.
DATE: JANUARY 31, 1974
(PARCEL #21)
- EXISTING ZONING CLASSIFICATION: BM (BUSINESS, MAJOR)
SETBACK REQUIREMENTS: FRONT: 15 FEET
SIDE/REAR: NONE
- THE SUBJECT PROPERTY IS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, FLOOD INSURANCE RATE MAP NOS. 24001D 0380 & 24001D 0380 B, EFFECTIVE DATE MARCH 2, 1981, WITHIN THE LIMITS OF THE FOLLOWING FLOOD ZONES:
ZONE A7: AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED. *BASE FLOOD ELEVATION = 334 FEET.
ZONE B: AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVES FROM THE BASE FLOOD.
- TAX MAP NO. 95, BLOCK 2, PARCEL 405. TAX ACCOUNT NO. 1600000286.
- PROPOSED ZONING CLASSIFICATION: NO CHANGE
- FLOOR AREA RATIO:
PERMITTED = 4.0
PROPOSED = 0.09
- EXISTING USE: VACANT
PROPOSED USE: RESTAURANT
- PARKING REQUIRED:
4,069 S.F. at 1-SPACE/50 S.F. = 82 SPACES
PARKING PROVIDED:
50 SPACES WITH 3 HANDICAP INCLUSIVE (VARIANCE REQUIRED)
- CONTRACT PURCHASER: MCDONALD'S CORPORATION
3015 WILLIAMS DRIVE
FAIRFAX, VIRGINIA 22031
(703) 698-4025
- ENGINEER: STV/LYON ASSOCIATES
21 GOVERNORS COURT
BALTIMORE, MARYLAND 21207
(301) 944-9112



TONING NOTES

- PROPOSED TRASH CORRAL
- PROPOSED LOADING AREA
- PROPOSED "BRICK PAVEMENT" WALK
- PROPOSED CONCRETE ENTRANCE
- EXISTING CONCRETE APRON TO REMAIN
- PROPOSED CONCRETE CURB AND GUTTER
- PROPOSED BITUMINOUS PAVING
- PROPOSED MENU BOARDS
- STAKING SPACES (TYP. 810 LOCATIONS)
- EXTEND EXISTING WATER SERVICE
- PROPOSED 6" SANITARY HOUSE CONNECTION
- EXISTING ENTRANCE TO BE REMOVED
- EXISTING DESTROYED HARDWARE RESTAURANT TO BE REMOVED
- EMPLOYEE PARKING
- YARD LIGHTING



GENERAL NOTES:

- McDonald's Road Sign and Base are by the Sign Contractor. Conduit and Wiring are by the General Contractor.
- Bases, Anchor Bolts, Conduit, and Wiring for All Other Signs are by the General Contractor.
- 1/4" Empty Conduit to Locations Shown at the Lot Perimeter for Lot Lighting is by the General Contractor. Lighting Fixtures, Bases, Poles, Conduit, and Wiring are by the Owner/Operator.
- Bases for Flagpoles are by the General Contractor. Anchor Bolts are by the Flagpole Supplier.
- Proposed Utilities are Shown in Schematic Only. Exact Locations shall be Field Determined to Allow for the Most Economical Installation.
- The Contractor shall Coordinate with All Utility Companies to Determine Exact Point of Service Connection at Existing Utility. Refer to the Building Electrical and Plumbing Drawings for Utility Service Entrance Locations, Sizes, and Circuits.
- All Elevations Shown are in Reference to the Benchmark and must be Verified by the General Contractor At Groundbreak.
- Finish Walk and Curb Elevations shall be 6" Above Finish Pavement
- All Landscape Areas shall be Rough Graded to 6" Below Top of All Walks and Curbs. Finish Grading, Landscaping, and Sprinkler Systems are by the Owner/Operator.

PAVING SPECIFICATION

(Minimum 3" Total Compacted Asphalt Thickness)

Note: McDonald's Engineer Reserves The Right To Request A Compaction Test And Or A Core Sample If Tests Prove Correct. Per Above Specifications. Tests Will Be At The Expense Of McDonald's. Otherwise, G.C. Will Be Charged.

LOT LIGHTING RECOMMENDATION:

Note: Electrical Contractor To Circuit Lot Lighting As Noted

PARKING INFORMATION:

| | | |
|----------------------------|-------------------|---------------|
| Total Spaces: 50 | 35 Spaces | 9' x 18' @ 90 |
| | 12 Spaces | 9' x 18' @ 60 |
| | 3 HANDICAP Spaces | 8' x 18' @ 90 |
| | Spaces | x @ |

UTILITY INFORMATION:

| Size | Type | Location |
|----------------|------------------------|----------|
| Sanitary Sewer | 6" PVC SECURITY BLVD. | |
| Water | 2" COPPER EXIST. METER | |
| Storm Sewer | TO BE DETERMINED | |
| Electric | BY B.G.&E. | |
| Gas | BY B.G.&E. | |

SURVEY INFORMATION:

Prepared By: STV/LYON ASSOCIATES
21 GOVERNORS COURT
BALTIMORE, MARYLAND 21207
Date: 2/19/88

LEGEND:

| | | | |
|----------------|----|--------------------|--------|
| Sanitary Sewer | S | Gas | G |
| Water | W | Lot Light | LP 30 |
| Storm Sewer | ST | Existing Elevation | (76.5) |
| Electric | E | Proposed Elevation | 77.0 |

PLAN SCALE: 1" = 20'

STREET ADDRESS:

6502 SECURITY BOULEVARD

CITY: BALTIMORE, MARYLAND

COUNTY: BALTIMORE

PLAT TO ACCOMPANY PERMIT FOR ZONING VARIANCE

| | |
|------------------|-------------------------|
| PLAN APPROVALS: | |
| Date: | Signature: (2 required) |
| Regional Mgr. | Const. Mgr. |
| Operations Dept. | Real Estate Dept. |
| Contractor | Owner |

McDonald's

These plans and specifications are the property of McDonald's Corporation and shall not be reproduced without their written permission.

| | |
|-------------------|-----------|
| PLAN STATUS: | |
| Date: | By: |
| 4/25/88 | TLB |
| Description | Revisions |
| Preliminary Drawn | ADD SIGNS |
| 1 | 2 |
| 3 | 4 |

| | |
|---------------------|--|
| REGIONAL DWG. NO.: | |
| L/8-290 | |
| CHARACTER DWG. NO.: | |
| SP-1 | |

REPORT THE
DEVOTE JOSEPH COMMUNION
OF REALIZED IDENTITY
Class No. 52-32-1

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

a) one identification sign not to exceed 184 sq.ft. each side;

b) two name board signs not to exceed 40 sq.ft. per sign.

3) The Petitioner shall comply with all requirements of the Baltimore County Landscaping Manual. In addition, the Petitioner shall landscape the property at a minimum as depicted in Petitioner's Exhibit 3.

d) The Petitioner shall comply with all requirements of DEPRM as set forth in their comments dated May 31, 1968, a copy of which is attached hereto and made a part hereof.

5) Petitioner is advised that when applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

B. Mastarowicz
ANN E. MASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

DATE ADDED: 1,000 RECORDS
(48-656,35 SQ. FT.)
DATE REFINISHED: AQUILA LIFE ASSURANCE SOCIETY OF THE
UNITED STATES
LIFE S.S.E. JR. NO. 3423, FILED 214, NYC
DEPT. JANUARY 24, 1974
(PARCEL 872)

FLOOR AREA RATION: (1ST FLOOR = 2,700 S.F.)
 PROPOSED = 0.102 (2ND FLOOR = 2,250 S.F.)
 TOTAL = 0.104 S.F.

ELEVATION USE: FIVE STAIRWAYS NECESSARY TO BE RESULT OF
 PROPOSED USE: RESTAURANT, ELEVATION 1 & 2ND
 FLOOR APPROX.

PARKING REQUIRED: 4000 S.F. OR 5 SPACES/50 S.F. = 80 SPACES
 PARKING PROVIDED: 50 SPACES WITH 7 GARAGES INCLUSIVE PARKING ABOUT 10%

BOULEVARD

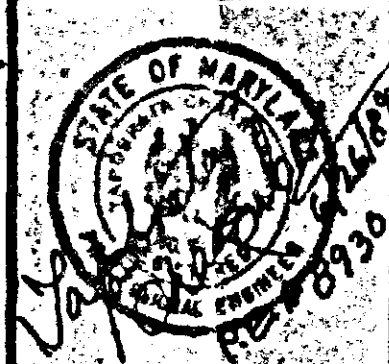
GRASS MEDIAN
(DUAL HIGHWAY)
DRWG. HRW 60-027-

VARIANCE REQUESTED
TO PERMIT 50 PARKING SPACES
IN LIEU OF 98 PARKING SPACES
REQUIRED PER SECT 409.6 A 2

over
sheet 1

CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 2120
(301) 825-8120



McDONALD'S CORPORATION
McDONALD'S CENTER
2015 WILLIAMS CIRCLE
FARMEX, VIRGINIA 22001
(703) 600-4030

PAVING SPECIFICATION:
(Minimum 3' Total Compacted Asphalt Thickness)

Note: McDonald's Engineer Reserves The Right To Request A Compression Test And/Or A Core Sample. If Tests Prove Correct, For Above Specifications, Tests Will Be At The Expense Of McDonald's. Otherwise, G.C. Will Be Charged.

LOT LIGHTING RECOMMENDATION:

Note: Electrical Contractor To Furnish List of Lighting As Noted.

PARKING INFORMATION:

| | | | |
|----------------------------|------------|---------|----------------|
| Total Spacers 50 | 23 | Spacers | 9' x 18' @ 90° |
| | 15 | Spacers | 9' x 18' @ 60° |
| | 10 | Spacers | 9' x 18' @ 45° |
| | 2 HANDICAP | Spacers | 8' x 18' @ 90° |

UTILITY INFORMATION:

| | Size: | Type: | Location: |
|----------------|-------|-------|-----------|
| Sanitary Sewer | | | |
| Water | | | |
| Storm Sewer | | | |
| Electric | | | |
| Gas | | | |

SURVEY INFORMATION:

Prepared By: **GEORGE WILLIAM STEPHENS, JR.**
AND ASSOCIATES, INC.
303 ALLEGHENY AVENUE
TOWSON - MARYLAND 21204

LEGEND:

| | | | |
|----------------|--------|--------------------|-------------|
| Sanitary Sewer | — S — | Gas | — G — |
| Water | — W — | Lot Light | ■ L ■ |
| Storm Sewer | — ST — | Existing Elevation | (76.5) |
| Electric | — E — | Proposed Elevation | 77.0 |

PLAN SCALE: 1" = 20'

STREET ADDRESS:
6502 SECURITY BOULEVARD

CITY: BALTIMORE STATE: MARYLAND

COUNTY:
BALTIMORE COUNTY

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

| PLAN APPROVALS: | | |
|-------------------------|-------|--|
| Signature: (2 required) | Date: | |
| Regional Mgr. | | |
| Const. Mgr. | | |
| Operations Dept. | | |
| Real Estate Dept. | | |
| CO-SIGN SIGNATURES: | | |
| Contractor | | |
| Owner | | |

McDonald's

| PLAN STATUS: | | |
|-------------------|-------|-----|
| Description | Date: | By: |
| Preliminary Drawn | 6 | 6 |
| Revisions | 7 | 7 |
| 1 | 8 | 8 |
| 2 | | |
| 3 | | |
| 4 | | |
| Plan Checked | | |
| 1. As Built Drawn | | |

REGIONAL DWG. NO.:

CORPORATE DWG. NO.

SP-1